

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JOHN ANDERSON,

Plaintiff,

-vs-

Case No. 15-C-0725

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

DECISION AND ORDER

Plaintiff John Anderson (“Anderson”) seeks leave to proceed *in forma pauperis* (“IFP”) (ECF No. 3) on his appeal from the denial of his applications for social security disability insurance and supplemental security income benefits. In order to authorize a litigant to proceed IFP, the Court must make two determinations: first, whether the litigant is unable to pay the costs of commencing this action; and second, whether the action is frivolous or malicious. 28 U.S.C. §§ 1915(a) and (e)(2)(B)(i). The Court must deny a request to proceed IFP if (1) the allegation of poverty is untrue; (2) the action is frivolous; (3) the action fails to state a claim; or (4) the action seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2).

By his petition and affidavit to proceed IFP, Anderson avers that he is

single and has a monthly income of \$1,441¹ comprised of \$16 in public assistance and \$1,425 in social security benefits. He does not own any valuable tangible property, and he has \$1 in cash or in a checking or savings account. (Pet. 3.) His monthly expenses total \$1,342. While Anderson's budget indicates that his monthly income exceeds his monthly expenses by \$101, his budget is bare bones — and he has no assets.

Based on the information provided, Anderson has satisfied the requirements of 28 U.S.C. § 1915(a) by demonstrating that he is unable to pay the \$350 filing fee for this action. Furthermore, Anderson's Complaint states an arguable claim for relief. Accordingly, Anderson's petition for leave to proceed IFP is granted.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS
HEREBY ORDERED THAT:**

Anderson's motion for leave to proceed IFP (ECF No. 3) is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 23rd day of June, 2015.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge

¹ Anderson states his total monthly income is \$1,431. The Court has corrected the error.